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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:

Chapter 13  
Case No. 09-5-2307 SLJ

Michael Sean Tarabochia

MOTION TO MODIFY CHAPTER 13 PLAN

Debtor \_\_\_\_\_/

The Debtor respectfully requests that the Court modify the Chapter 13 plan as follows:

- \_\_\_\_\_ 1. With respect to the monthly plan payments of \_\_\_\_\_, those payments shall:  
\_\_\_\_\_ be suspended for the months of \_\_\_\_\_.  
\_\_\_\_\_ be increased to \_\_\_\_\_, effective \_\_\_\_\_.  
\_\_\_\_\_ be decreased to \_\_\_\_\_, effective \_\_\_\_\_.  
\_\_\_\_\_ (other)
- X 2. With regard to secured claims:  
\_\_\_\_\_ to treat the claim(s) of additional creditors as secured, as follows:  
\_\_\_\_\_ to change the treatment of certain secured claims, as follows:  
X to treat as unsecured, the claims of the following creditors which were previously treated as secured.  
GE Money Bank - Honda Card re 2005 Honda ATV & Trailer.
- \_\_\_\_\_ 3. With regard to general unsecured claims, to change the dividend paid:  
\_\_\_\_\_ from \_\_\_\_\_ % to \_\_\_\_\_ %  
\_\_\_\_\_ from a pot plan\* of \$ \_\_\_\_\_ to a pot plan\* of \$ \_\_\_\_\_  
\_\_\_\_\_ from a percentage plan at \_\_\_\_\_ % to a pot plan\* of \$ \_\_\_\_\_  
\_\_\_\_\_ from a pot plan\* of \$ \_\_\_\_\_ to a percentage plan at \_\_\_\_\_ %
- X 4. Other modifications:  
Debtor surrenders the 2005 Honda ATV & Trailer to secured creditor GE Money Bank - Honda Card and waives protections of 11 U.S.C. 362 to the extent necessary to allow said creditor to dispose of said security. Said creditor shall account for the proceeds of the disposition and may file a general unsecured claim for any deficiency within thirty days of disposition.
5. Debtor's reason(s) for requesting the above modification are:  
The payments necessary to retain the vehicle are not affordable and the Debtor is willing to surrender it to the creditor.
6. The plan, if modified, would be completed within sixty (60) months from commencement of the case.

WHEREFORE, the Debtor requests that the Court modify the Chapter 13 plan as set forth above.

Dated: 10-28-13

Norma Hammes  
Attorney for Debtor